cM

Sects. II-37—100,000—31-5-32.

Dair (1947) Department.

cMs SERIES.

G.O. No. 4203

Dated 28-8-47

[Despatch Abstract.]

Agri. - Manures and Manurial resources - Restriction on export - Position after the expiry of the Defence of India Rules - Papers recovered.

GOVERNMENT OF MADRAS
Development Department.

Letter No.8791 A.III/47-2, dated 25-4-1947.

To

The Secretary to the Government of India,
Department of Agriculture, New Delhi.

Sir,

Sub: Agriculture - Manures and Manurial resources - Restriction on export.

I am directed to address the Government of India regarding the control of export of manures and manurial resources from this Province to places outside it in India. In order to conserve all the available supplies of manures and manurial resources, the Government of Madras prohibited in 1943 and 1944 under rule 81(2) of the Defence of India Rules the export of oil cake, fishmeal, fish guano, bone-super, bonemeal, chemical fertilizers, bones, bonegrist, horns, hoofs, horn and hoof meal and green manure seeds, from any place within the Province to any place outside it in India except under permits issued by the Director of Agriculture or his nominee. With the expiry of the D.O.I.Rules on 30-9-46 the Government are continuing the above controls under the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1946. It is now observed that under section 297(1) of the Government of India Act 1935 the Provincial Government have no powers to regulate the export from or import into the Province. In this connection, I am directed to invite your attention to the letter of the Government of India, Department of Industries and Supplies, No.I(1)-59(5) dated 21-12-1946 in which they are stated to have addressed the Secretary of State for India to secure Parliamentary Legislation to extend the Essential Supplies (Temporary Powers) Act, 1946, (Central Act) to commodities like manures, fertilizers etc. I am directed to enquire at what stage the matter now stands and to request that the Government of India will be go good as to secure as early as possible, the extension of the enactment to cover manures and manurial resources mentioned above, as the continuance of the control of export of these commodities is essential for the success of the Five Year Plan of Intensive Grow More Food Campaign.

Your obedient servant,

Sd. xx/Secy.to Government.

Copy to Government of India,
Department of Industries & Supplies.

Reminded on 6-6-47.

p.t.o.

~~No.Dy.54-M/47.~~
~~Government of India - Department of Agriculture.~~
~~New Delhi the 11th July 1947.~~

No.Dy.54-M/47.
GOVERNMENT OF INDIA - DEPARTMENT OF AGRICULTURE.

NewDelhi the 11th July 1947.

From
R.B. Sinha Esquire,
Under Secretary to the Government of India.

To
The Secretary to the Government of Madras,
Development Department, Madras.

Sir,

I am directed to refer to your letter No.8791 A.III/47-2, dated the 25th April 1947, on the above subject and to say that in view of the constitutional developments that have subsequently taken place, the question raised in your letter reference does not arise.

I have the honour to be, Sir,
Your most obedient servant,
Sd. R.C.Sinha/Under Secretary.

---

p.t.o.

NOTE FI

Development Department.

TO A.S.

With reference to the reply from the Govt.of India on (p.11 c.f. the Legal Dept. may be requested to advise this Dept. what the present legal position is in respect of export of manures from the Province as a result of the Constitutional developments.

Dev.U.O.8971-AIII/47-7,dt.29-7-47. Sd. x x /24-7-47. Sd. x x/25-7-47.

Legal Department.

Apparently what the Government of India's letter means is that the question of Parliamentary legislation cannot arise after the Indian Independence Act. The constitutional position in regard to exports and imports now remains the same as before. We may await the introduction of the New Constitution which is being considered by the Constituent Assembly.

Sd. x x/2-8-47. Legal U.O.8331/47-1,dt.2-8-47.

TO A.S. Development Department.

Please see Legal Dept's notes on pp.7-8 above. No action seems called for. The papers may be recorded.

Sd. x x/17-8-47. Sd. x x/19-8-47.

G.O.Ms.No.4203,dated 28-8-47.

Agriculture - Manures and manurial resources - Restriction on Export - Position after the expiry of D.O.I.Rules.

/True copy/

S. Jagannathan 19.6.54
Office Assistant,
Madras Record Office.

PSR.4-1-54.